

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHIGAN LABORERS' PENSION FUND,  
et al.,

Plaintiffs,

Case No. 16-12650

v.

Honorable Nancy G. Edmunds

L.V. PAINTING & CONTRACTING, INC., et  
al.,

Defendants.

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**ORDER QUASHING SUBPOENA, EXTENDING DISCOVERY FOR PURPOSE OF  
DEPOSITIONS AND DENYING DEFENDANT'S REQUEST FOR SANCTIONS  
(DKT. 85, 86)**

Before the Court is Defendants L.V. Painting & Contracting, Inc., and Michael Scott's emergency motion to quash depositions. (Dkt. 85, 86.)

At the time the deposition subpoenas were served, on February 13, 2018, the witnesses had a reasonable time to comply with the subpoenas, despite the fact that deposition dates appear to have been unilaterally scheduled by Plaintiffs' counsel. Further, it was not known to Defense counsel or Plaintiffs' counsel until approximately March 21, 2018, that witness Nadia Vlahos's mother was moving into hospice care. Any resultant burden of compliance was unknown to either party at the time the subpoenas were served. See Fed. R. Civ. P. 45. This motion may have been avoided if Plaintiffs' counsel had responded to Defendants' counsel's February 13 request to reschedule because he will be out of the country on the deposition dates March 26 and 27, 2018. Nonetheless, the Court

will deny the request for sanctions.

Accordingly, IT IS HEREBY ORDERED that discovery is extended until April 16, 2018, for the limited purpose of deposing Steven Vlahos and Nadia Vlahos.

IT IS FURTHER ORDERED that subpoenas to Steven Vlahos and Nadia Vlahos are quashed and new subpoenas shall issue with rescheduled deposition dates.

IT IS FURTHER ORDERED that Defendants' request for sanctions is DENIED.

SO ORDERED.

s/Nancy G. Edmunds

Nancy G. Edmunds  
United States District Judge

Dated: March 22, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 22, 2018, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager